

TOWN OF MOUNT AIRY
MAYOR AND TOWN COUNCIL
RESOLUTION NO. 2020-1

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF MOUNT AIRY (the "Town") TO TRANSFER TOWN OWNED REAL PROPERTY PURSUANT TO THE TOWN CHARTER, SECTIONS C3-1 AND C11-1 AND THE LOCAL GOVERNMENT ARTICLE OF THE MARYLAND CODE, SECTION 5-203(c).

WHEREAS, the Town currently owns real property depicted in the Sketch Concept Plat attached hereto as Exhibit A, showing the metes and bounds of the property, and being a part of real property conveyed to the Town of Mt. Airy by the State Highway Administration of the Department of Transportation acting for and on behalf of the State of Maryland dated July 9, 1993 and recorded among the Land Records of Carroll County, Maryland at Liber 1571, Folio 805, *etc.*, and among the Land Records of Frederick County at Liber 1963, Folio 1181, *etc.* ("the Town Property"); and

WHEREAS, due to its size and dimensions, the Town has determined that the Town Property is not usable real property except in as part of use of adjacent real property; and

WHEREAS, QH Ridgeside LLC ("Developer") has proposed the development of a Chick-fil-a restaurant abutting S. Main Street, and Ridgeside Drive, and more particularly described as Lot 1, Ridgeville Business Center as depicted on a plat entitled Final Plat of Section I, Lot 1, "RIDGEVILLE BUSINESS CENTER" recorded among the Land Records of Carroll County, Maryland at Plat Book 26, Plat No. 129, bearing an address of 1705 Ridgeside Drive, Mount Airy, Maryland, having a Tax Identification Number 13-020957, being designated among the Tax Maps at Map 602, Parcel 1104, and being all that property conveyed to QH Ridgeside LLC by S & W Management, Inc., (formerly known as Pizza Hut of Maryland, Inc.) by means of a deed dated August 29, 2018 and recorded among the Land Records of Carroll County, Maryland at Liber 9105 at Folio 193, *etc.* ("the Chick-fil-a Property"); and

WHEREAS, the Chick-fil-a Property adjoins the Town Property; and

WHEREAS, Section C11-1 of the Town Charter permits the Town to, among other things, sell or "otherwise dispose of any property belonging to the Town"; and

WHEREAS, Section 5-204(c) of the Local Government Article of the Maryland Code and the Town Charter, Section C3-1B(47) permits the Town to "convey any real . . . property when no longer needed for the public use, after having given at least 20 days' notice of the proposed conveyance"; and

WHEREAS, upon at least 20 days' notice run in a newspaper of general circulation in the Town, and otherwise by means of notice of the agenda, in the usual course, for the Town Council the regular meeting at which the vote approving this Resolution was taken, a public

hearing was held on or about _____, wherein opportunity for public comment was provided; and

WHEREAS, the Town Council has determined that the Town Property no longer is needed for public use, that the Town Property is useful only in conjunction with uses of adjoining real property and that it is in the best interests of the Town and its residents to transfer the Town Property to Developer in fee simple, for purposes of consolidation and/or use in conjunction with the Chick-fil-a Property once developed, for the consideration of One and no/100 Dollars (\$1.00) by means of a quit claim deed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN, this 3rd day of February, 2020, that the Town Council of Mount Airy hereby approves the transfer of the Town Property to Developer in fee simple for the consideration of One and no/100 Dollar (\$1.00) by means of a quit claim deed executed by the Mayor.

INTRODUCED this 6th day of January, 2020.

ADOPTED:

This 3rd day of February, 2020 by a vote of _____ in favor and _____ opposed

ATTEST:

Jason Poirier, Secretary

Larry Hushour, Council President

ATTEST:

Jason Poirier, Secretary

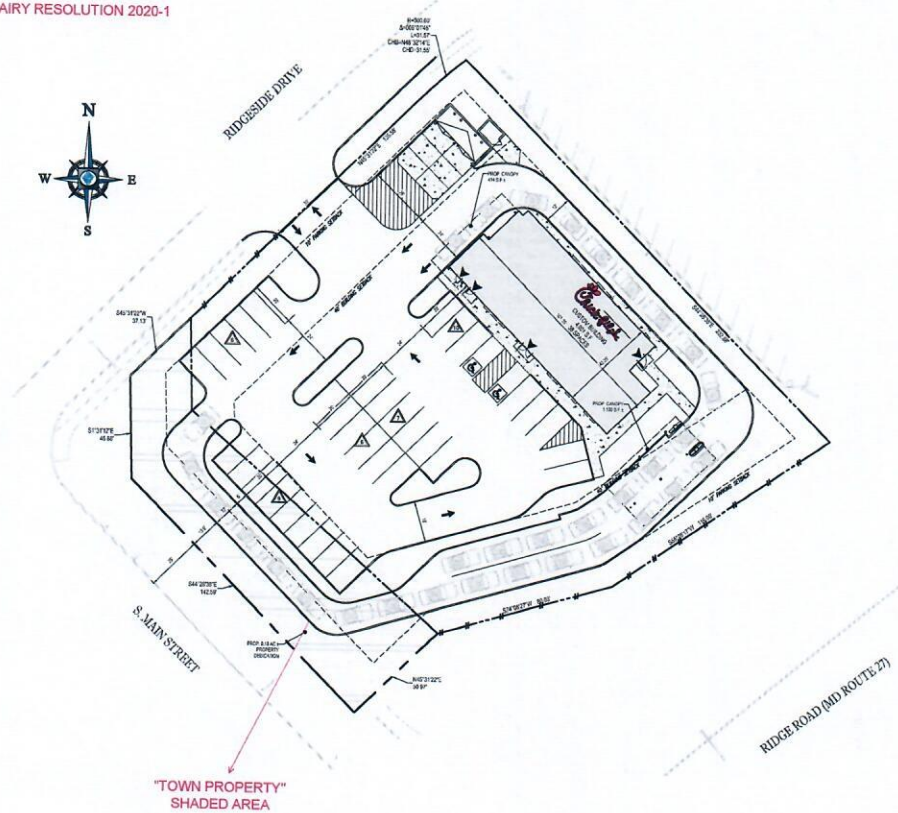
Patrick T. Rockinberg, Mayor

Approved as to form and
legal sufficiency this 3rd day
of February, 2020:

Thomas V. McCarron
Town Attorney

(TVM0042)

EXHIBIT A TO MT. AIRY RESOLUTION 2020-1



CHICK-FIL-A CONCEPT NOTES	
PROTOTYPE	CUSTOM BUILDING
FLOOR	2ND
BUILDING AREA	4,000 SF
SEATS	60 SEATS (SEATING)
PARKING REQUIRED	45 SPACES
PARKING PROVIDED	39 SPACES
STORAGE	50 STAGERS



SKETCH CONCEPT A13
1705 RIDGESIDE DRIVE
MT. AIRY, CARROLL COUNTY
BOHLER ENGINEERING
MD186513

MARYLAND
11/15/19
1" = 20'